ANNEXURE

THE CONSTITUTION (THIRTIETH AMENDMENT) BILL, 1972.

(AS PASSED BY THE HOUSES OF PARLIAMENT)

A

BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Constitution (Thirtieth Amendment) Act, 1972.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of article* 133.—In article 133 of the Constitution, for clause (1), the following clause shall be substituted, namely :—

"(1) An appeal shall lie to the Supreme Court from any judgment, decree or final order in a civil proceeding of a High Court in the territory of India if the High Court certifies—

(*a*) that the case involves a substantial question of law of general importance ; and

(*b*) that in the opinion of the High Court the said question needs to be decided by the Supreme Court.".

3. *Special provision as to pending proceedings, etc.*—(1) Nothing in this Act shall affect—

(*a*) any appeal under sub-clause (*a*) or sub-clause (*b*) or sub-clause (*c*) of clause (1) of article 133 of the Constitution which immediately before the commencement of this Act was pending before the Supreme Court ; or

(*b*) any appeal preferred on or after the commencement of this Act against any judgment, decree or final order in a civil proceeding of a High Court by virtue of a certificate given by the High Court before the commencement of this Act under sub-clause (*a*) or sub-clause (*b*) or sub-clause (*c*) of clause (1) of article 133 ;

and every such appeal may be heard and disposed of or, as the case may be entertained, heard and disposed of by the Supreme Court as if this Act had not been passed.

(2) Subject to the provisions of sub-section (1), no appeal shall lie to the Supreme Court under clause (1) of article 133 of the Constitution from any judgment, decree or final order arising out of a suit or other civil proceeding which was instituted or commenced in any court before the commencement of this Act unless such appeal satisfies the provisions of that clause as amended by this Act.

WD 18699—GPB—550—24-7-73